

REMARKS

STATUS OF CLAIMS

Claims 2-4, 6, 8-18, 21 and 23-26 are pending.

Thus, claims 2-4, 6, 8-18, 21 and 23-26 remain pending for reconsideration, which is respectfully requested.

No new matter has been added.

REJECTIONS

Claims 4, 8-15, 21 and 25 are rejected under 35 USC 103(a) as being unpatentable over Voit (US Patent No. 5,825,862) in view of Casellini (US Patent No. 6,404,860). Casellini is newly cited, and newly relied upon.

Claims 2-3, 6, 16, 23, 24 and 26 are rejected under 35 USC 103(a) as being unpatentable over Voit, Casellini, and in view of Palmer (US Publication no. 2001/0038690).

Claims 17-18 are rejected under 35 USC 103(a) as being unpatentable over Voit, Casellini and in view of Kauffman (US Patent No. 5,003,591).

The independent claims are 4, 9, 21 and 26.

In rejecting independent claims 4, 9, 21, and 26, the Office Action page 4 provides "***Voit fails***" to disclose the claimed present invention's "***taking the held call directly at the entertainment system call manager, or sending the held call by the entertainment system call manager to a user voice mail at the user's premise, or both***, according to the held call handling option selected by the user," but the Office Action alleges one skilled in the art would be motivated to combine Casellini's FIG. 6 and column 4, lines 41-58 with Voit to achieve the claimed present invention.

Casellini FIGS. 3, 4, 6 and column 4, lines 41-58 discuss an Internet call management (ICM) application 307, which is located at the telephony network, to provide a subscriber 316, via the Internet, options to handle a call, such as "forward call," "transfer to voicemail," "transfer to page," "respond with pre-recorded message" and "respond with text-to-speech message." However, Casellini's call handling options are executed at the telephony network as shown in FIG. 3, because the Casellini's memory 302 applications 304, 305, 306, 307, 308, 309, 317, 310 and 311 communicate with the subscriber computer via the Internet or other network 315. In

other words, Casellini's voice mail application 309, call forwarding 308, and text to speech application 317 are at the telephony network (see FIG. 3 and column 3, lines 32-36 in which the mass storage voice mail 302 and memory 303 storing applications is in communication with the subscriber's premise via the communication interface 320), so Casellini's voice handling options are not executed at the subscriber's premise.

Therefore, Casellini fails to disclose or suggest the claimed present invention's **"taking the held call directly at the entertainment system call manager, or sending the held call by the entertainment system call manager to a user voice mail at the user's premise, or both,** according to the held call handling option selected by the user," because Casellini fails to disclose or suggest the subscriber's computer 316 to **"taking the call directly"** or **"sending the held call ... to a user voice mail at the user's premise."** More particularly, Casellini's subscriber computer 316, at FIG. 4 operations 404, 406 and 407, sends, via the Internet, a text-to-speech message to the center or a voice message to the center, which differs from the claimed present invention's **"taking the held call directly at the entertainment system call manager, or sending the held call by the entertainment system call manager to a user voice mail at the user's premise, or both."** Casellini's subscriber computer 316 differs from the claimed present invention's **"entertainment system call manager"** 24.

In view of the remarks, withdrawal of the rejection of pending claims and allowance of pending claims is respectfully requested.

DEPENDENT CLAIMS

Regarding dependent claims 23 and 24, the Office Action page 8 relies on Palmer paragraph 00500. However, Palmer does not have a paragraph 500, and Palmer paragraphs 5 and 50 discuss a communication gateway and "resume play," respectively, but fail to disclose or suggest the claimed present invention's, **"wirelessly controlling by the entertainment system call manager a program buffer at a premise of the user to buffer the program."** In other words, Palmer's set top box STB 135 does not wirelessly control the digital VCR. Therefore, because Palmer cannot support the rejection rationale for dependent claims 23 and 24, either withdrawal of the finality of the Office Action in view of Palmer not having a paragraph 00500 or allowance of claim 23 in view of the remarks is respectfully requested.

Regarding dependent claim 25, the Office Action page 7 relies on Casellini column 4, lines 42-58, which discuss providing a call notification message from the call management system to the subscriber via the Internet. However, this Casellini description discusses sending

messages to a subscriber computer via the Internet, but fails to disclose or suggest the subscriber computer having "**a telephone to directly take the held call**; and **an audio and/or video processor to process input audio and/or video data from the telephone** and/or from a broadcast center for the subscriber entertainment system." In other words, Casellini's subscriber computer 316 communicates via the Internet, but does not have "**a telephone**" function "**to directly take the held call.**"

In view of the remarks, withdrawal of the rejection of pending claims and allowance of pending claims is respectfully requested.

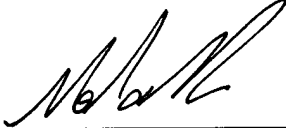
CONCLUSION

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

Respectfully submitted,
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